

From: [Wyrick, Don \(DSHS\)](#)
To: [Delgado, Eric](#)
Subject: RE: West Explosion & Disaster Coordination
Date: Tuesday, April 30, 2013 2:30:43 PM

Not a problem. If you recall, following the meeting yesterday, Gene Mikeska, epidemiology, DSHS, joined in on our conversation regarding the applicability of the NESHAP rules and regulations. He was saying that the NESHAP did not apply to the houses that will be demolished. We both disagreed with him.

You have a lot of emergency response experience in situations like this and I would like to work closely with you on this project. If you have any questions or if I can be of any assistance please let me know.

Looking forward to seeing you at the meeting tomorrow.

Don

Don Wyrick
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From: Delgado, Eric [mailto:Delgado.Eric@epa.gov]
Sent: Tuesday, April 30, 2013 1:26 PM
To: Wyrick, Don (DSHS)
Cc: Hayes, Mark; Eppler, David
Subject: Re: West Explosion & Disaster Coordination

Sorry for the confusion Don. Perhaps I was unclear in my explanation to David regarding the applicability of NESHAP. I know you have been very proactive with regards to protection of public health regarding the demo activities.

Please accept my apologies if I misrepresented your position.

Thanks,

Eric Delgado

From: Wyrick, Don (DSHS)
Sent: Tuesday, April 30, 2013 1:06:33 PM
To: Delgado, Eric
Subject: FW: West Explosion & Disaster Coordination

FYI

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From: Wyrick,Don (DSHS)
Sent: Tuesday, April 30, 2013 1:04 PM
To: Dillard,Annabelle (DSHS)
Cc: Ofunrein,Ken (DSHS)
Subject: RE: West Explosion & Disaster Coordination

The meeting is tomorrow morning at 10:00 am.

For your information.

I have advised all parties associated with the debris cleanup task force, federal, state and local authorities, that the NESHAP rules apply to the houses and demolition debris. This has been my unpopular interpretation of the asbestos rules from the beginning. Mr. Delgado and I have discussed this and are in agreement. Mr. Eppler was misinformed.

Don

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From: Dillard,Annabelle (DSHS)
Sent: Tuesday, April 30, 2013 12:40 PM
To: Wyrick,Don (DSHS); Sullivan,Charlotte (DSHS); Ofunrein,Ken (DSHS)
Cc: Collins,Terry W (DSHS); Moline,Rod (DSHS); Tennyson,Susan (DSHS); Perkins,Kathy (DSHS); Wingler,Todd (DSHS)
Subject: RE: West Explosion & Disaster Coordination

Correction: There is no meeting scheduled for today at 1.

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From: Dillard,Annabelle (DSHS)
Sent: Tuesday, April 30, 2013 12:17 PM
To: Wyrick,Don (DSHS); Sullivan,Charlotte (DSHS); Ofunrein,Ken (DSHS)
Cc: Collins, Terry W; Moline,Rod (DSHS); Tennyson,Susan (DSHS); Perkins,Kathy (DSHS); Wingler,Todd (DSHS)
Subject: FW: West Explosion & Disaster Coordination
Importance: High

Don,

Please see the email below from Terry. David Eppler with EPA Region 6 contacted Terry to say that EPA has determined that the federal NESHAP applies to all the buildings and debris associated with the West explosion.

I know you have a meeting set up for 1:00 today so we wanted to make sure you get this information.

Please contact David Eppler, (214) 665-6529 if you have any questions.

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From: Collins,Terry W (DSHS)
Sent: Tuesday, April 30, 2013 11:13 AM
To: Dillard,Annabelle (DSHS)
Cc: Guerrero,Roxanna (DSHS); Dinieri,Andrea (DSHS); Rodriguez,Tenessa (DSHS)
Subject: West Explosion & Disaster Coordination

Annabelle,

I received a call from my EPA contact in Dallas – Region 6 (10:25 AM – 4/30/13) David Eppler. David said that Eric Delgado (EPA's Federal On-scene Coordinator for the West Disaster) emailed him and

wanted to coordinate with Don Wyrick on the compliance with the federal asbestos NESHAP. Eric had heard that Don had determined that most of the houses and part of the industrial/manufacturing buildings (completely destroyed) did not apply to the NESHAP. David said that it was EPA's determination (backed up with one of their determination indexes) that the NESHAP applied to all buildings and debris associated with the explosion. The houses would all be grouped in the same project or disaster, therefore making them applicable. He also said that under 61.150 (disposal) that all debris, even if the structure was no longer standing had to go as asbestos-contaminated or sampled for asbestos and disposed of properly in a landfill that accepts asbestos.

David wanted me to talk to Don about meeting with local, state and federal officials out at the site to coordinate the compliance with the NESHAP. David also said that the time for clean-up is about to begin so Don would be needed fairly quickly. David discussed the fact that EPA would recommend to DSHS that we should have some sort of outreach documents, pamphlets or handouts that would explain the dangers of asbestos and what to do and not do under the NESHAP.

The key here is that EPA has determined that the NESHAP applies to all structures and debris involved with the explosion and as their enforcement and inspection representative in Texas, that DSHS should be on top of the compliance of the NESHAP on-site.

David Eppler's office number is (214) 665-6529 if needed.

Let me know if you would like me to contact Don about this matter?

Thanks,

Terry

Terry W. Collins
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